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| APPLICATION NO. | FILING DATE | FIRST NAMED INVENTOR | ATTORNEY DOCKET NO. | CONFIRMATION NO. |
|---|-------------|----------------------|---------------------|------------------|
| 09/722,621 | 11/28/2000 | Ken Kumakura | 122.1424 | 5939 |
| 21171 | 7590 | 09/07/2004 | EXAMINER | |
| STAAS & HALSEY LLP SUITE 700 1201 NEW YORK AVENUE, N.W. WASHINGTON, DC 20005 | | | WU, XIAO MIN | |
| | | | ART UNIT | PAPER NUMBER |
| | | | 2674 | |

DATE MAILED: 09/07/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

| | | | |
|------------------------------|--------------------------------------|--|--|
| Office Action Summary | Application No. 09/722,621 | Applicant(s) KUMAKURA ET AL. | |
| | Examiner XIAO M. WU | Art Unit 2674 | |

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
 - If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
 - If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
 - Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 19 July 2004.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-19, 22-34, 37, 38 and 40-54 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-19, 22-34, 37, 38 and 40-54 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

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DETAILED ACTION

Continued Examination Under 37 CFR 1.114

1. A request for continued examination under 37 CFR 1.114, including the fee set forth in 37 CFR 1.17(e), was filed in this application after final rejection. Since this application is eligible for continued examination under 37 CFR 1.114, and the fee set forth in 37 CFR 1.17(e) has been timely paid, the finality of the previous Office action has been withdrawn pursuant to 37 CFR 1.114. Applicant's submission filed on 7/19/2004 has been entered.

Allowable Subject Matter

2. The indicated allowability of claims 1-18, 26-33, 40-46, 50-54 is withdrawn in view of the newly discovered reference(s) to Satou et al. (US Patent No. 5,315,378). Rejections based on the newly cited reference(s) follow.
3. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

4. Claims 1-17, 19, 22-24, 26-34, 37-38, 40-54 are rejected under 35 U.S.C. 102(b) as being anticipated by Satou et al. (US Patent No. 5,315,378).

As to claims 1, 17, 26, 40, Satou discloses a display apparatus for displaying a color image by controlling the intensity thereof in accordance with primary color video signals (R, G, B, Fig. 1) input thereto, comprising: a detection portion (6, 7, 8, Fig. 1) detecting the intensity; and a white balance correction portion (2, 4, 5, 1r, 1g, 1b, Fig. 1) correcting white balance by

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adjusting the amplitudes of the primary color video signals in accordance with the detected intensity.

As to claims 2, 31, 41, Satou discloses the detection portion detects the intensity from a display ratio of an image produced by the primary color video signals (see col. 7, lines 1-19).

As to claims 3, 8, 42, Satou discloses a control portion (4, Fig. 1) controlling the intensity from a display ratio of an image produced by the primary color video signals.

As to claims 4, 9, 14, 15, 27, 29, Satou discloses the white balance correction portion comprises a computing unit (5, Fig. 1) and a plurality of multipliers (1r, 1g, 1b, Fig. 1, and also see column 9, lines 1-5).

As to claims 5, 6, 10, 11, 16, 22, 28, 30, 37, Satou discloses a storage unit (col. 9, lines 38-39).

As to claims 7, 32, 43, 44, Satou discloses detecting the display current (e.g. brightness between black and maximum brightness).

As to claims 12, 13, 33, 45, 46, Satou discloses detection portion detects the intensity from an external applied luminance adjusting input ((7, 8, Fig. 1).

As to claims 19, 24, 34, 47, 48, 50-52, Satou discloses output gray levels (R', G', B', Fig. 1) of images represented by the primary color video signals are adjusted in accordance with input gray levels (R, G, B, Fig. 1) of the image represented by the primary color video signals, thereby correcting white balance which varies the intensity of the primary color video signals, wherein the display comprises: a first detection portion (6, 7, 8, Fig. 1) and a white balance correction portion (2, 4, 5, 6, 1r, 1g, 1b, Fig. 1), a computing unit (5) and a plurality of correction units (1r, 1g, 1b).

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As to claims 23, 38, 49, Satou discloses a second detection portion detecting a display ratio (see col. 7, lines 1-19).

As to claims 53, 54, Satou further discloses that the amplitude ratio between the primary color video signals is set in accordance with the intensity of the primary color video signals (col. 7, lines 1-28).

Claim Rejections - 35 USC § 103

5. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

6. This application currently names joint inventors. In considering patentability of the claims under 35 U.S.C. 103(a), the examiner presumes that the subject matter of the various claims was commonly owned at the time any inventions covered therein were made absent any evidence to the contrary. Applicant is advised of the obligation under 37 CFR 1.56 to point out the inventor and invention dates of each claim that was not commonly owned at the time a later invention was made in order for the examiner to consider the applicability of 35 U.S.C. 103(c) and potential 35 U.S.C. 102(e), (f) or (g) prior art under 35 U.S.C. 103(a).

7. Claims 18 and 25 are rejected under 35 U.S.C. 103(a) as being unpatentable over Satou et al. (US Patent No. 5,315,378) in view of Kang (US Patent No. 6,400,347).

As to claims 18 and 25, it is noted that Satou does not disclose the display system is a plasma display. However, the plasma display is well known in the art such as taught by Kang. Kang further discloses the white balance of the plasma display needs to be adjusted. It would

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have been obvious to one of ordinary skill in the art to have modified the white balance correction circuit of Satou for the plasma display system of Kang because Satou suggests that the white balance of the different kinds of the displays can be adjusted.

Response to Arguments

8. Applicant's arguments with respect to claims 1-19, 22-34, 37-38, 40-54 have been considered but are moot in view of the new ground(s) of rejection.

Conclusion

9. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure: The US Patent 5,181,103 is cited to teach a white balance adjusting circuit for a display.

10. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Xiao Wu whose telephone number is (703) 305-4721.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Richard Hjerpe, can be reached on (703) 305-4709.

Any response to this action should be mailed to:

Commissioner of Patents and Trademarks
Washington, D.C. 20231

or faxed to:

(703) 872-9306

Hand-delivered responses should be brought to Crystal Park II, 2121 Crystal Drive, Arlington, VA., Sixth Floor (Receptionist).

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the Technology Center 2600 Customer Service Office whose telephone number is (703) 306-0377

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xw

September 7, 2004

A handwritten signature in black ink, appearing to read 'Xiao Wu', is positioned above the printed name.

XIAO WU
PRIMARY EXAMINER
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